

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

No. 5:13-CR-00199-F-2

UNITED STATES OF AMERICA  
  
v.  
  
DAVID CHRISTOPHER MAYHEW

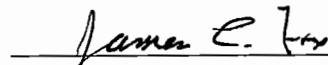
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**ORDER**

This matter is before the court on Defendant David Christopher Mayhew's *Pro Se* Motion for Reconsideration [DE-172]. The defendant argued his motion at sentencing, held before the court on January 6, 2016. The defendant presented no new reasons as to why the court should allow his request for the appointment of new counsel. Additionally, the defendant does not have a right both to counsel and to represent himself *pro se*. See, e.g., *United States v. Singleton*, 107 F.3d 1091, 1096 (4th Cir. 1997) (holding that a defendant may waive the right to self-representation by proceeding to trial and taking other actions inconsistent with self-representation). The defendant has benefitted throughout these proceedings from the assistance of counsel, and the defendant's counsel has filed motions on his behalf. There has been no breakdown in communications between them. For those reasons, the defendant's motion [DE-172] is DENIED.

SO ORDERED.

This, the 7<sup>\*</sup> day of January, 2016.

  
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JAMES C. FOX  
Senior United States District Judge